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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10 WESTERN DIVISION

11 CLINTON BROWN,

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13 Plaintiff,

14 V.

15 EMIL ASSENTATO, TAX DEED  
16 ENTERPRISES LLC, STEVE WEERA  
17 TONASUT TRUST,

18 Defendants.  
19

Case No.:LACV23-02972-MEMF(KSx)

[PROPOSED] ORDER GRANTING  
JOINT RULE 12(b)(6) MOTION TO  
DISMISS [ECF No. 41] THE FIRST  
AMENDED COMPLAINT [ECF NO.  
40]

20 On January 17, 2024, all Defendants, (1) Emil Assentato, an individual; and  
21 (2) Tax Deed Enterprises, LLC, a Delaware limited liability company; and (3)  
22 Steve Weera Tonasut, as Trustee of the Tonasut Family Trust dated June 14, 2004,  
23 for and in place of Plaintiff's erroneously named "Steve Weera Tonasut Trust",  
24 filed a motion to dismiss the First Amended Complaint, styled by Plaintiff  
25 "Amended Complaint", ECF NO. 40, filed January 3, 2024.

26 Defendants moved to dismiss the First Amended Complaint as follows:  
27 under Rule 12(b)(6), that it is not pleaded with facts sufficient to state a claim, and  
28 not pleaded sufficiently under Rule 9(b) (fraud pleading), nor under the Private

[PROPOSED] ORDER ON MOTION TO DISMISS FIRST AMENDED COMPLAINT [ECF NO. 40]

BROWN VS. ASSENTATO#LACV23-02972

1 Securities Litigation Reform Act (“PSLRA”) 15 U.S.C. § 78u-4, that alleged claim  
2 being a securities law claim, and that the arrangements and agreements are not  
3 securities regulated under federal securities law.

4 The Court, having considered Defendants' Motion to Dismiss and finding  
5 good cause therefore, hereby GRANTS the Motion and ORDERS as follows:

- 6 1. The First Amended Complaint [ECF NO. 40] is dismissed in its entirety  
7 and as to each and all Defendants, with prejudice, without leave to  
8 amend.

9 IT IS SO ORDERED.

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11 Date: \_\_\_\_\_, 2024

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13 MAAME EWUSI-MENSAH FRIMPONG  
14 United States District Judge  
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